

HB/III

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES MCINTOSH,
Plaintiff,

v.

PAUL SCHULTZ, et al.
Respondents.

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CIVIL ACTION

NO. 09-1808

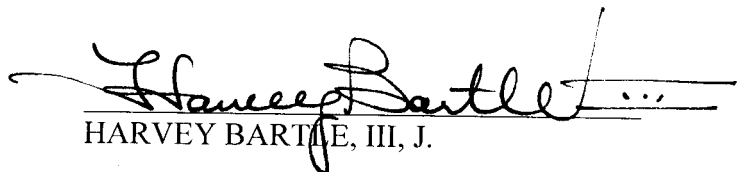
ORDER

HARVEY BARTLE, III, J.

AND NOW, this 7th day of December, 2009, upon careful and independent consideration of the petition for Writ of *Habeas Corpus*, and after review of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa, IT IS ORDERED that:

- i. The Report and Recommendation is APPROVED and ADOPTED.
- ii. The petition for Writ of *Habeas Corpus* is DENIED with prejudice.
- iii. There is no probable cause to issue a certificate of appealability.
- iv. The Clerk of the Court shall mark this case closed for statistical purposes.

BY THE COURT:


HARVEY BARTLE, III, J.